

R E M A R K S

Claims 1-34 are pending. Claims 1, 15, 29, and 34 are amended. Re-examination and reconsideration are requested.

5 In the final office action, dated December 2, 2005, the examiner rejected claims 1-7, 9-12, 14-22, 24-27, and 29-34 under 35 U.S.C. §102(b) as being anticipated by Mitchell *et al.*, U.S. Patent No. 5,963,966 (Mitchell). The examiner rejected claims 8 and 23 under 35 U.S.C. §103(a) as being unpatentable over Mitchell. The examiner also rejected claims 13 and 28 under
10 Section 103(a) as being obvious over Mitchell in view of Block *et al.*, U.S. Patent No. 6,295,543 (Block).

Re the Claims:

15 Claims 1, 15, 29, and 34 are amended as indicated in the listing of the claims. Support for the amendments to the claims is contained throughout the written description and drawings as originally filed and specifically at, for example, page 4, line 31 through page 5, line 14; page 9, lines 4-8; and page 12, line 33 through page 13, line 9.

20 Amended claim 1 is directed to a method for accessing network data that involves a process wherein indicia provided on a document are analyzed and used to access network data that do not include the document itself. Claim 1 is amended to address the comments made by the examiner in section 6 of the final office action of December 2, 2005, wherein the examiner regarded
25 the term "network data" to include the document itself. While the applicant believes that the term "network data" in the context of the pending application does not include the document itself, applicant makes the amendment to claim 1 to clarify this point and to remove any doubt that the term "network data" does
30 not include the document itself. Claim 1 is also amended to require that accessing the network data occur automatically (i.e., without any user intervention).

Mitchell describes an automated document formatting system for converting paper documents into electronic documents. While

Mitchell uses the document to create an index of the document itself, Mitchell does not use the index created from the document to do anything other than locate the document itself. That is, Mitchell does not disclose or suggest accessing "network data," as defined by claim 1. Consequently, claim 1 is allowable over Mitchell. The Block reference uses word frequency to calculate an empirical correlation between a word and a class, and contains no teaching or suggestion that would motivate a person having ordinary skill in the art, and with no knowledge of the present invention, to modify either Block or Mitchell in the manner required by amended claim 1. Consequently, claim 1, and the claims depending therefrom (i.e., claims 2-14) are allowable over Mitchell and Block.

Amended claim 15 also specifies that the network data do not include the document itself. Again, this amendment addresses the comments of the examiner and clarifies that the term "network data" does not include the document itself. Claim 15 also specifies that the apparatus includes program code for automatically accessing the network data. Claim 15 is allowable over Mitchell and Block at least for the same reasons discussed above for claim 1. That is, nothing in Mitchell or Block would provide the suggestion or incentive required to motivate a person having ordinary skill in the art to modify either reference in the manner required by amended claim 15. Therefore, claim 15, and the claims depending therefrom (i.e., claims 16-28) are believed to be allowable.

Claim 29 is amended to clarify that the network data do not include the document itself, thereby addressing the issue raised by the examiner in section 6 of the final office action and clearly distinguishing claim 29 over Mitchell. Claim 29 also requires that the system comprise program code for automatically receiving the network data at the digital capture input device. Neither Mitchell nor Block disclose or suggest program code for automatically receiving network data at the digital capture input device, as specifically required by amended claim 29. Therefore,

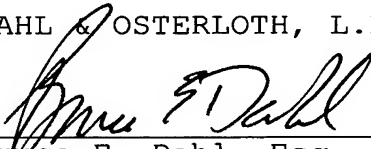
claim 29, and the claims depending therefrom, i.e., claims 30-33 are allowable.

Claim 34 clarifies that the network data do not include the document itself, thereby clearly distinguishing claim 34 over Mitchell. In addition, claim 34 also requires means for automatically accessing the network data network data. Neither Mitchell nor Block disclose or suggest such means for automatically accessing data, as specifically required by amended claim 34. Consequently, claim 34 is allowable over Mitchell and Block.

Applicant believes that all of the claims pending in this patent application are allowable and that all other issues raised by the examiner have been rectified. Therefore, applicant respectfully requests the examiner to reconsider the rejections and to grant an early allowance. If any questions or issues remain to be resolved, the examiner is requested to contact the applicant's attorney at the telephone number listed below.

Respectfully submitted,

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